

**NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS**

California Rules of Court, rule 977(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 977(b). This opinion has not been certified for publication or ordered published for purposes of rule 977.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

In re HORTENSIA M., a Person Coming  
Under the Juvenile Court Law.

B172187

(Super. Ct. No. YJ24781)

THE PEOPLE,

Plaintiff and Respondent,

v.

HORTENSIA M.,

Defendant and Appellant.

APPEAL from an order of the Superior Court of Los Angeles County, Stephanie Davis, Temporary Judge. (Pursuant to Cal. Const., art. VI, § 21.) Affirmed.

Sandra L. Waite, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

---

A petition was filed charging 15-year-old Hortensia M. with felony theft by access card, and with misdemeanor battery. (Welf. & Inst. Code, § 602.) At the hearing, there was evidence that Hortensia's mother had verified funds in her account, later discovered she had insufficient funds, and also discovered her access card was missing. She knew Hortensia knew the "pin" number. When mother confronted daughter, Hortensia hit her mother in the eye and ran off. Hortensia later admitted to the police both that she took \$120 from her mother's account using the access card and that she assaulted her mother.

The probation report disclosed that the mother was disabled and was injured in the incident, and that Hortensia was "rebellious," "belligerent" and "violent" towards her mother, and "beyond parental control." The court found both counts true beyond a reasonable doubt, declared Hortensia a ward of the court, ordered her suitably placed for not more than three years (for the theft) and two months (for the battery), noted her credits, and imposed terms of probation.

Hortensia filed a notice of appeal, and we appointed counsel to represent her. After reviewing the record, appellate counsel filed an opening brief in which no issues were raised. (*People v. Wende* (1979) 25 Cal.3d 436; *In re Kevin S.* (2003) 113 Cal.App.4th 97, 119.) On June 18, 2004, we notified Hortensia that she had 30 days within which to submit any issues she wanted us to consider. She has not responded. We have

independently examined the record and are satisfied that no arguable issues exist.

**DISPOSITION**

The order is affirmed.

NOT TO BE PUBLISHED.

VOGEL, J.

We concur:

ORTEGA, Acting P.J.

MALLANO, J.